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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of: )  
Applicants: Raymundo Saenz, et al. )  
Serial No.: 09/974,739 )  
Filed: 10/09/2001 )  
Title: Valve And Method For A )  
Brake Control Actuator )

Examiner: Douglas C. Butler

Group Art Unit: 3683

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MAY 23 2003

**GROUP 3600**

Mail Stop – Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

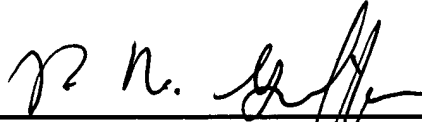
**RESPONSE TO RESTRICTION REQUIREMENT**

Applicant respectfully traverses the restriction requirement set forth in the Office Action dated April 23, 2003. It is noted at the outset that applicant is not challenging the Examiner's determination that the distinct inventions identified in the Office Action are patentable over each other. Applicant traverses on the grounds that the Examiner has failed to demonstrate that examination of such distinct inventions in this Application would impose a burden on the PTO. In fact, it would appear that the examination process has substantially progressed in view of the art cited in the above-identified Office Action as well as in the first Office Action. In particular, the Examiner has failed to show either of the following: 1) that there is a separate classification of the distinct inventions; 2) that a separate field of search would be required for the distinct inventions; or 3) that such inventions have achieved a separate status in the art, even though they are classified together.

For the sake of expeditiously moving forward with the prosecution of the present application and without any prejudice, applicant elects to prosecute claims 5 and 12 which are believed to comprise one of the species identified by the Examiner. More particularly, it is believed that these claims correspond to Species C, Figure 7.

The Examiner is invited to call the undersigned attorney if there are any issues regarding this response that may be resolved via telephone conference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. M. Griffin", is written over a horizontal line.

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**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Response To Restriction Requirement is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 16 day of May, 2003.

Brenda D. Chambers

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